

as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

☒ The inventorship is the same as prior Application Serial No. 09/997,914.

- ☒ 2. The Commissioner is authorized to charge the filing fee of **\$750.00** to Deposit Account No. 01-2508/11792.0218.DVUS01 to cover the filing fee as calculated upon entry of the Preliminary Amendment referred to in Item No. 6 below.

| FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEE |
|-----------------------------------|-----------------|-----------------|-----------|-----------------|
| Basic Fee ----- | | | | \$750.00 |
| Total Claims | 16 - 20 = | 0 X | \$18.00 = | \$000.00 |
| Independent | 3 - 3 = | 0 X | \$84.00 = | 000.00 |
| Claims | | | | |
| Multiple Dependent Claim(s) ----- | | | \$280.00 | \$750.00 |
| TOTAL FILING FEES: | | | | \$750.00 |

- ☒ 3. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Deposit Account No. 01-2508/11792.0215.DVUS02.

- ☒ 4. The prior application is presently assigned to Monsanto Technology LLC.

- ☒ 5. Enclosed is a copy of the current Power of Attorney executed on behalf of Monsanto Technology LLC.
- ☒ 6. Enclosed are the Formal Drawings for Figures 1-3 (on 2 sheets).
- ☒ 7. Enclosed is a preliminary amendment.
- ☒ 8. An Information Disclosure Statement (IDS) is enclosed.
☒ Form PTO-1449.
- ☒ 9. Enclosed is a substitute sequence listing and the computer readable form, which have been updated to Patent In Version 3.2, from the co-pending application, Serial No. 09/997,914, filed November 30, 2001. Statements required under 37 C.F.R. § 1.821 (f) and (g) are also included.
- ☒ 10. Address all future communications to:
Amy G. Klann
Howrey Simon Arnold & White, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1435
- ☒ 11. Return Receipt Postcard (specifically itemized).

Respectfully submitted,



Amy G. Klann
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Agent for Assignee
MONSANTO TECHNOLOGY LLC

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Date: September 26, 2003

Garry L. Klamm
Signature

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